



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vincent Jen-Jr. Gau

Application No.: 09/848,727

Filed: May 3, 2001

For: BIOLOGICAL IDENTIFICATION SYSTEM
WITH INTEGRATED SENSOR CHIP

Examiner: My Chau Tran

Art Group: 1641

Docket No.: 005876.P002

#18
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RESPONSE TO RESTRICTION REQUIREMENT

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, DC 20231-9998

Sir:

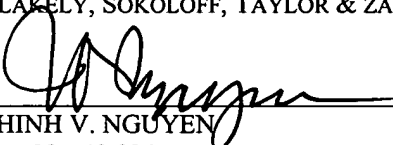
In the Office Action mailed September 24, 2002, the Examiner contends that Applicant claims six distinct inventions; namely, Group I (claims 1-20), Group II (claim 21), Group III (claim 22), Group IV (claims 23-33), Group V (claims 34-40), and Group VI (claims 41-50). Thus, pursuant to 35 U.S.C. 121, the Examiner requires Applicant to restrict the application to one of the alleged six inventions.

In compliance with 35 U.S.C. §121, Applicant elects Group I (claims 1-20) related to a method of detecting presence or measuring quantity of a target analyte.

In view of the foregoing, it is respectfully submitted that the current pending claims are in condition for allowance and such action is respectfully solicited.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


THINH V. NGUYEN
Reg. No. 42,034

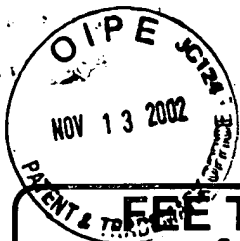
Dated: November 7, 2002

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(714) 557-3800

CERTIFICATE OF MAILING

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Tu Nguyen



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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 55.00

Complete if Known

Application Number 09/848,727
Filing Date May 3, 2001
First Named Inventor Jen-Jr Vincent Gau
Examiner Name My Chau Tran
Group/Art Unit 1641
Attorney Docket No. 5876P002

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METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 740 | 2001 | 370 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 510 | 2003 | 255 | Plant filing fee | |
| 1004 | 740 | 2004 | 370 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | (\$) | |

2. EXTRA CLAIM FEES

Total Claims 20** = X =
Independent Claims 3 = X =
Multiple Dependent =

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 | |
| 1203 | 280 | 2203 | 140 | Multiple Dependent claim, if not paid | |
| 1204 | 84 | 2204 | 42 | **Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | (\$) | |

**or number previously paid, if greater, For Reissues, see below

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 2053 | 130 | 2053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | 55.00 |
| 1252 | 400 | 2252 | 200 | Extension for reply within second month | |
| 1253 | 920 | 2253 | 460 | Extension for reply within third month | |
| 1254 | 1,440 | 2254 | 720 | Extension for reply within fourth month | |
| 1255 | 1,960 | 2255 | 980 | Extension for reply within fifth month | |
| 1404 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 2451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,280 | 2453 | 640 | Petition to revive - unintentional | |
| 1501 | 1,280 | 2501 | 640 | Utility issue fee (or reissue) | |
| 1502 | 460 | 2502 | 230 | Design issue fee | |
| 1503 | 620 | 2503 | 310 | Plant issue fee | |
| 1460 | 130 | 2460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 740 | 1809 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 740 | 2810 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 740 | 2801 | 370 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |
| SUBTOTAL (3) | | | | (\$) | 55.00 |

* Reduced by Basic Filing Fee Paid

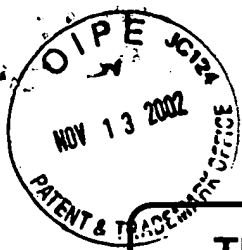
SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Thinh V. Nguyen Registration No. 42,034 Telephone (714) 557-3800
Signature [Signature] Date 11/07/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

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Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
|------------------------|--------------------|
| Application No. | 09/848,727 |
| Filing Date | May 3, 2001 |
| First Named Inventor | Jen-Jr Vincent Gau |
| Group Art Unit | 1641 |
| Examiner Name | My Chau Tran |
| Attorney Docket Number | 5876P002 |

Total Number of Pages in This Submission 5

ENCLOSURES (check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Response to Restriction Requirement</div> |
|---|--|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | Thinh V. Nguyen, Reg. No. 42,034 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature | |
| Date | November 7, 2002 |

CERTIFICATE OF MAILING/TRANSMISSION

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November 7, 2002

| | | | |
|-----------------------|--------------|------|------------------|
| Typed or printed name | Tu T. Nguyen | | |
| Signature | | Date | November 7, 2002 |

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